

The question now recurred upon Mr. Wallace's amendment, which amendment was adopted.

Mr. Williams offered a substitute for the Joint Resolution, and

On motion of Mr. Bourland, the Joint Resolution, together with the substitute was referred to the committee on the Judiciary.

On motion of Mr. Perkins, the Senate adjourned until 10 o'clock to-morrow morning.

Thursday, 10 o'clock, A. M.  
February 3d, 1848.

The Senate was called to order by the President.

The following Senators answered to their names:

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, McRea, Navarro, Perkins, Phillips, Wallace, Williams, Williamson and Wootten—quorum present.

The journal of the preceding day was read and adopted.

Mr. Clark, Chairman of the committee on the Judiciary, made the following reports:

Committee Room,  
February 3d, 1848.

Hon. J. A. GREER,  
*President of the Senate:*

The Judiciary committee herewith report back to the Senate, "a bill to be entitled an act to permit married women to devise their separate property" which was referred to them for investigation, with a substitute therefor, the adoption and passage of which, a majority of the committee recommend.

EDWARD CLARK, Chairman.



Committee Room,  
February 3d, 1848.

Hon. J. A. GREER,  
*President of the Senate:*

The Judiciary committee, to whom was referred, a bill to be entitled "an act to regulate proceedings by certiorari and supersedeas, in civil causes", and propose the following amendments thereto.

1st Amendment—In second line of first section, insert before the word "district" the words "Judges of the." In same line and section, strike out the word "and" after "courts" and insert between the words "courts" and "in" the words "during term time or," and strike out all after the word "vacation" in the same line and section to the word "upon" in third line of same section.

2nd Amendment—Between the words "power" and "to" in the eighth line of the first section, insert the words, "within six months after the occurrence of the acts complained of."

The committee instruct me to return said bill with the amendments aforesaid to the Senate, and recommend the adoption of the amendments and passage of the bill.

EDWARD CLARK, Chairman.

Committee Room,  
February 3d, 1848.

Hon. J. A. GREER,  
*President of the Senate:*

The Judiciary committee have had under consideration, "an act to repeal certain sections of an act entitled an act to reduce into one act, and amend the several acts concerning executions," approved 27th January, 1842, and after much deliberation, have agreed upon the enclosed substitute, which amends and changes in some respects the law of 1842, instead of repealing certain sections thereof, as proposed by the original bill.



A majority of the committee are in favor of the passage of the substitute, and recommend it to the favorable consideration of the Senate.

EDWARD CLARK, Chairman.

Mr. Dancy, Chairman of the committee on State Affairs, made the following reports:

Committee Room,  
February 3d, 1848.

J. A. GREER,  
*President of the Senate:*

The committee on Affairs of State, to whom was referred, a bill to be entitled "an act to regulate the price of Land Patents," have had the same under consideration, and instructed me to report the bill to the Senate, with the following amendment, to wit:

Add to the bill "and that this act take effect from and after its passage," and recommend the adoption of the amendment, and the passage of the bill as amended.

JON W. DANCY, Chairman.

Committee Room,  
February 3, 1848.

J. A. GREER,  
*President of the Senate:*

The committee on Affairs of State, to whom was referred "An act providing for the sale of the property belonging to the State of Texas, and formerly used by the late government for custom purposes," after considering the bill, have instructed me to report the same to the Senate, with the following amendments, to wit:

First. In section two, line six, strike out "Comptroller" and insert "Governor."

Second. In section three, line three, after "all," insert "such."

Third. In section four, line four, after "on," insert "their"—and recommend the adoption of the amendments, and the passage of the bill as amended.

JON W. DANCY, Chairman.

Mr. Gage, chairman of the committee on Counties and County Boundaries, made the following report :

Committee Room,  
February 3d, 1848.

Hon. JOHN A. GREER,  
*President of the Senate :*

The committee on Counties and County Boundaries, have had under consideration "A bill to be entitled an act to provide for locating the seat of justice for the county of Newton;" and,

"A bill to be entitled an act to create the county of Medina," and have instructed me to return them to the Senate, and recommend their passage.

D. GAGE, Chairman.

A message was received from the House of Representatives, informing the Senate that the House had passed the following bills and joint resolution, viz :

A bill to be entitled an act to incorporate the Town of Montgomery ;

A bill to be entitled an act to create the county of Kaufman ;

A bill to be entitled an act to authorize Sarah Ann Kelton, wife of Oliver P. Kelton, a lunatic, to make valid conveyances of real estate and negroes ;

A bill to be entitled an act to authorize a special tax to be collected in the county of Guadalupe ;

A bill to be entitled an act to establish a State Penitentiary ;

A bill to be entitled an act to incorporate the town of Springfield ;

A bill to be entitled an act, supplementary to an act, entitled an act, to create the county of Smith, approved April 11th, 1846 ;

Joint resolution for the relief of William Plucker.

Mr. Gage, chairman of the committee on Counties and County Boundaries, made the following report :



Committee Room,  
February 3d, 1848.

HON. JOHN A. GREER,  
*President of the Senate:*

The committee on Counties and County Boundaries, to which was referred the memorial of a portion of the citizens of the counties of Nacogdoches, Houston and Cherokee, praying the establishment of a new county, to be formed from the territory of the above recited counties, have had the same under consideration, and find that there are only some thirty-six signers to the memorial praying for the formation of the new county; and your committee have also had before them a remonstrance against the formation of such county, coming from eighty-seven citizens of Nacogdoches county, one hundred and twenty-seven citizens of Houston county, and two hundred and two citizens of Cherokee county.

The chairman of your committee has been to the General Land Office, and has examined, with the assistance of the draftsman, the maps of these counties, and is of opinion that the counties of Nacogdoches and Cherokee have but little territory more than is required by the Constitution; and under these circumstances your committee deem it inexpedient to create said county, and for these reasons have instructed me to return the memorial and protests back to the Senate, and ask to be discharged from further consideration on the same.

D. GAGE, Chairman.

Mr. Williams, chairman of the committee on Internal Improvements, made the following report:

Committee Room,  
February 3d, 1848.

HON. J. A. GREER,  
*President of the Senate:*

The committee on internal Improvements, to which was referred a "Bill to be entitled an act authorizing Charles Covington and his associates to establish a ferry across the river Yea-



gua, and construct a causeway across the bottom lands thereof, have considered the same, and are of opinion that the construction of the causeway as provided for in this bill, will be such as to require much labor and capital in its completion, and without protection by charter, for a term of years, no individual or company could be found willing to undertake the work; and that however great the convenience may be to the whole community above and below the Yeagua, yet this work would remain undone. That your committee know no policy which can influence it to refuse encouragement to individual enterprise, (when the same is not in violation of any constitutional provisions or settled policy,) having for its object the erection or construction of improvements for the immediate benefit of the community in the midst of which such improvement is proposed to be made, as appears in this case:—Therefore I am instructed to report the bill back to the Senate, and recommend its passage.

WM. M. WILLIAMS,  
Chairman.

Mr. Williams, chairman of the committee on Apportionment, Privileges and Elections, made the following report:

Committee Room,  
Austin, February 3d, 1848.

HON. JOHN A. GREER,  
*President of the Senate:*

The committee on Apportionment, Privileges and Elections, to which was referred a bill to be entitled an act to fix the time of holding elections for the several State and county officers, and for Representatives to the United States Congress, have had the same under consideration, and instructed me to report the same back to the Senate, with an amendment, and recommend its passage.

Amendment—strike out the word “fix,” and insert in lieu thereof the word “prescribe” in the caption.

WM. M. WILLIAMS, Chairman.



Mr. Wallace made the following report:

Committee Room,  
February 2d, 1848.

Hon. J. A. GREER,  
*President of the Senate:*

The committee on Military Affairs have had under consideration the bill to be entitled "An act to organize the militia of the county of Newton," a majority have instructed me to propose the following amendments, to wit:

Section 1, in fourth line, strike out the words "regiment or."

In sixth line, same section, strike out the words "regiment or."

Section 2—In second line strike out the words "compose and,"—strike out fourth line and insert "the militia of Jasper county belongs."

Section 3—In second line strike out the words "regiment or": with these amendments I am instructed to recommend the passage of the bill.

B. RUSH WALLACE,  
One of the Committee.

Mr. Wallace introduced a bill to be entitled an act to authorize and require the Judges of the District Courts to hold special sessions thereof, for the trial of persons charged with the commission of crimes, the punishment of which is death.

Read first time.

The Senate proceeded to the orders of the day:

The report of the select committee appointed to examine into the condition of the Adjutant General's office, was read, and,

On motion of Mr. Phillips, referred to the committee on State Affairs.

A bill to be entitled an act for the relief of those persons who are indebted to the State on account of public dues, payable in the promissory notes of the late Republic.

Read third time and passed.

On motion of Mr. Wallace, a bill to be entitled an act to authorize the sale of the lots in the city of Austin, and tract adjoining, was taken up and placed among the orders of the day.



A bill to be entitled an act for the relief of John Keizer, together with the report of the committee on Private Land Claims thereon was read, and bill passed to a third reading.

The report of the special committee on "A bill to be entitled an act authorizing holders of promissory notes, bonds, funded debt, audited claims, or any other recognized claim against the Republic of Texas, to surrender the same, and receive in lieu thereof land scrip" was read, and,

On motion of Mr. Williamson, made the special order of the day for Monday next.

A bill to be entitled an act, supplementary to the act, entitled "An act, to regulate proceedings in the District Courts," approved 13th May, 1846.

Read second time, and,

On motion of Mr. Wallace, referred to a special committee.

Messrs. Wallace, Daney and Jewett were appointed said committee.

A bill to be entitled an act to authorize the assessment of damages in civil suits.

Read second time, and

On motion of Mr. Phillips, referred to the committee on the Judiciary.

A bill to be entitled an act to amend the first, fourth and fifth sections of an act regulating estrays" approved December 22d, 1846; read second time;

And, on motion of Mr. Navarro, referred to the committee on the Judiciary.

The report of the committee on Finance on the petition of Morgan Wilson, was read and adopted.

A bill to be entitled an act better defining the boundaries of Nueces county, together with the report of the committee on counties and county boundaries, was read, report adopted, and bill passed to a third reading.

A bill to be entitled an act to create the county of Cameron together with the report of the committee on counties and county boundaries thereon, proposing an amendment, was read, report adopted, and bill passed to a third reading.

A bill to be entitled an act to create the county of Starr, together with the report of the committee on counties and county boundaries thereon, proposing an amendment; was read, report adopted; and bill passed to a third reading.

A bill to be entitled an act to define the county boundaries



of Goliad county, together with the report of the committee on counties and county boundaries thereon, proposing amendments, was read; report adopted, and bill passed to a third reading.

A bill to be entitled an act to authorize the sale of lots in the city of Austin; and the tract adjoining; read.

Mr. Wallace offered a substitute for the bill, which on motion of Mr. Jewett was adopted.

Mr. Wallace moved to fill the blank in the bill with "Texas Democrat."

Carried.

Bill was then ordered to be engrossed.

A bill to be entitled an act to provide for the collection of Taxes due the late Republic and present State of Texas, together with the report of the committee on Finance thereon, was read.

And, on motion of Mr. Phillips; re-referred to the committee on Finance.

Joint Resolution authorizing the Comptroller of Public Accounts to provide a residence in the city of Austin for the use of the Executive of the State, together with the report of the committee on Finance thereon, proposing amendments was read; report adopted, and bill passed to a third reading.

On motion of Mr. Brashear, the Senate adjourned until to-morrow morning, 10 o'clock.

Friday, 10 o'clock, a. m.

February 4th, 1848.

The Senate was called to order by the President.

The following Senators answered to their names.

Messrs. Abbott, Bourland, Brashear, Bache, Burleson, Clark, Cuny, Dancy, Gage, Grimes, Jewett, McRea, Navarro, Perkins, Phillips, Wallace, Williams, Williamson and Wooten; quorum present.

The Journal of the preceding day was read and adopted.

Mr. Wallace presented the petition of B. J. Thompson praying for relief for the heirs of Patsey Lewis, which,